IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 5TH DECEMBER 2007 / 14TH AGRAHAYANA 1929

WP(C).No. 31989 of 2007(G)

ST.168, 169/2006 of ADDL.C.J.M.(E&O),ERNAKULAM

.....

PETITIONER:

---

1. M/S.EMTEX INTERNATIONAL LTD.,
   DIWANS ROAD, 39/2418, ERNAKULAM 682 016
   (REPRESENTED BY MANAGING DIRECTOR,
   VARGHESE MUNDACKAL)

2. DR.VARGHESE MUNDACKAL,
   S/O.JOSEPH, MUNDACKAL HOUSE, KARINGAZHA,
   KOTHAMANGALAM-686691

BY ADV. SRI.SANIL KUMAR

RESPONDENTS:

THE ASSISTANT REGISTRAR OF COMPANIES,
KERALA COMPANY LAW BHAVAN, BMC ROAD, THRIKKAKARA,
COCHIN 682021.

BY GOVERNMENT PLEADER ADV.SRI.M.S.BREEZ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

R. BASANT, J.

W.P.(C) No. 31989 OF 2007 G

Dated this the 5th day of December, 2007

O R D E R

I have perused the report dated 2.11.07 submitted by the learned Additional Chief Judicial Magistrate(Economic Offences), Ernakulam. The report shows that the petitioner has not made any application under Section 205 Cr.P.C. The learned Additional Chief Judicial Magistrate further submits that there has been no application to adjourn the case to a date after three months. If such applications are filed, it shall be considered on merits and appropriate orders shall be passed, reports the learned Additional Chief Judicial Magistrate(Economic Offences), Ernakulam.

2. It is now for the petitioner's counsel to make appropriate application under Section 205 Cr.P.C., if no such application has been filed by him by now. The petitioner's counsel can also file an appropriate application for adjournment of the case to facilitate return of the petitioner to India to enable him to take

part in the trial. Such application can be filed through the counsel for the petitioner forthwith, if no such application has already been filed by him.

3. No further directions appear to be necessary in this petition now. With the above observations, this petition is dismissed.

4. Handover copy of the order to the learned counsel.

(R.BASANT, JUDGE)

aks